

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

MICHAEL LONDON,

Plaintiff

vs.

THURBERT BAKER,

Defendant

NO. 5:05-CV-227 (WDO)

PROCEEDINGS UNDER 42U.S.C. § 1983
BEFORE THE U.S. MAGISTRATE JUDGE

O R D E R

On August 2, 2005, plaintiff **MICHAEL LONDON** was ordered to pay the \$250.00 filing fee required for civil actions in this court. Tab #6. Plaintiff was given thirty (30) days from the date of his receipt of the court's order to comply with the court's instructions, and he was notified that his failure to comply with the order would result in the dismissal of his complaint. To date, plaintiff has failed to pay said filing fee, but he has submitted an application to proceed *in forma pauperis*. Tab #14. However, as noted in the court's prior order, plaintiff is not eligible to proceed *in forma pauperis* because he has accumulated "three strikes" under the Prison Litigation Reform Act. See Tab #6. Therefore, plaintiff's motion to proceed *in forma pauperis* is DENIED.

Accordingly, **WITHIN TEN (10) DAYS** from the date of receipt of this order, plaintiff shall **SHOW CAUSE** to the court, if any he has, why his lawsuit should not be dismissed for failing to pay the required filing fee. Plaintiff shall advise the court: (1) what attempts, if any, he made to pay the fee; and (2) whether he wishes to proceed with the instant lawsuit. Plaintiff's failure to respond to this order shall result in the dismissal of the complaint.

SO ORDERED, this 15th day of November, 2005.



CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE